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No. 83-2128.

In the

Supreme Court of the United States.

OCTOBER TERM, 1983.

RAYTHEON COMPANY,
PETITIONER,
v.
ROPER CORPORATION,
RESPONDENT.

Supplemental Brief under Supreme Court Rule 22.6 in Support of Petition for Writ of Certiorari.

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BATEMAN & SLADE, INC. BOSTON, MASSACHUSETTS

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SUPPLEMENTAL BRIEF UNDER SUPREME COURT RULE 22.6 IN SUPPORT OF PETITION FOR WRIT OF CERTIORARI,

Petitioner, Raytheon Company, in supplementation of its Petition for a Writ of Certiorari, hereby directs the attention of the Court to the following Petitions for Writs of Certiorari which are before this Court and which present issues the same as or closely related to the issues raised by Raytheon's Petition herein:

(1) Hazeltine Corp. v. RCA Corp., No. _____, filed July 5, 1984; and

(2) White v. Jeffrey Mining Machinery Co., No. 83-1913, filed May 22, 1984.

These cases involve impermissible fact-finding and abuses of Rule 52(a), F.R. Civ. P., by the Court of Appeals for

the Federal Circuit, the same court involved in the case at bar. Together with the present case, they show that Court of Appeals has embarked on a course which, if uncorrected, will deprive litigants of any meaningful trial for the resolution of the pervasive issues of fact which this Court has constantly reiterated are presented by patent disputes.

Respectfully submitted,

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